

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ANTONIO L. DOYLE,

Plaintiff,

v.

VAEDRA ROSEMAN JONES, *et al.*,

Defendants.

3:13-CV-0540-LRH-WGC

ORDER

Before the court is plaintiff Antonio L. Doyle's ("Doyle") motion to reconsider the court's August 7, 2014 order granting defendants' motion to dismiss (Doc. #54¹). Doc. #55.

Plaintiff Doyle is a prisoner incarcerated in the state of Nevada. Doyle is also the biological father of his now adult daughter, Antonaya. Doyle, who was incarcerated before Antonaya's birth, alleges that Antonaya's mother, defendant Vaedra Roseman Jones, and step-father, defendant Damian C. Jones, hindered his ability to foster a relationship with Antonaya by moving to Virginia and enrolling her in school as Antonaya Jones and/or Antonaya Doyle-Jones.

On May 30, 2013, Doyle filed a complaint alleging that defendants engaged in acts hindering his ability to establish a relationship with his daughter. Doc. #1, Exhibit A. In response, defendants filed a motion to dismiss (Doc.#22) which was granted by the court (Doc. #54). Thereafter, Doyle filed the present motion for reconsideration. Doc. #55.

¹ Refers to the Court's docket number.

1 A motion for reconsideration is an “extraordinary remedy, to be used sparingly in the
2 interests of finality and conservation of judicial resources.” *Kona Enters., Inc. v. Estate of Bishop*,
3 229 F.3d 887, 890 (9th Cir. 2000). A district court may reconsider a prior order where the court is
4 presented with newly discovered evidence, an intervening change of controlling law, manifest
5 injustice, or where the prior order was clearly erroneous. FED. R. CIV. P. 59(e); *see also United*
6 *States v. Cuddy*, 147 F.3d 1111, 1114 (9th Cir. 1998); *School Dist. No. 1J, Multnomah County v.*
7 *AcandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993).

8 Here, Doyle argues that it was error for the court to reach the merits of his complaint after
9 finding that the court lacked personal jurisdiction over defendants. *See* Doc. #55. The court has
10 reviewed Doyle’s motion and finds that it is without merit. The court exercised its discretion to
11 address both arguments made by defendants in their motion to dismiss: first, that the court lacked
12 personal jurisdiction over them as citizens of Virginia, and second, that Doyle’s complaint failed to
13 state a claim upon which relief can be granted. The court did not err by addressing defendants’
14 alternative argument that Doyle had failed to state a claim upon which relief can be granted.
15 Therefore, the court shall deny Doyle’s motion.

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17 IT IS THEREFORE ORDERED that plaintiff’s motion for reconsideration (Doc. #55) is
18 DENIED.

19 IT IS SO ORDERED.

20 DATED this 30th day of September, 2014.

21 
22 LARRY R. HICKS
23 UNITED STATES DISTRICT JUDGE
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